

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 27-31, 1998

| Date Issued | Type of Case(1) | Proceeding or Appn. No. | Party or Parties | TTAB Panel(2) | Issue | TTAB Decision | Opposer's or Petitioner's Mark and Goods or Services | Applicant's or Respondent's Mark and Goods or Services | Mark and Goods Cited by Examining Attorney | Examining Attorney | Citable as Precedent of TTAB |
|-------------|-----------------|-------------------------|--|-------------------------|--|---|---|---|---|--------------------|------------------------------|
| 7-27 | EX | 74/683,774 | Economic Analysis Group, Ltd. | Simms Cissel* Hanak | 2(d) | Refusal Affirmed | | "CASETRACK" [software for managing legal services; computer services, namely, installation and maintenance of computer software] | "CASETRAC" [printed reports on the status of litigation] | Sanok | No |
| 7-28 | EX | 74/621,724 | Casino Data Systems | Simms* Hohein Hairston | 2(d) | Refusal Affirmed (as to both cited registrations) | | "OASIS" [computer hardware for use in a gaming environment, namely, a network controller for player tracking in a casino] | "OASIS" [computer programs and accompanying instruction manuals sold as a unit therewith]; "OASIS" [electronic gaming machines] | Stine | No |
| 7-28 | EX | 74/560,670 | Ormond Beach Chamber of Commerce, Inc. | Simms* Cissel Hanak | 2(d) | Refusal Affirmed | | "JAZZ MATAZZ '90 A CELEBRATION OF MUSIC, FOOD AND PEOPLE" (and design) [entertainment services in the nature of community festivals featuring music and food] | "JAZZMATAZZ" [entertainment services in the form of a musical band] | Sharper | No |
| 7-28 | EX | 74/598,265 | Gene-medicine, Inc. | Cissel Hohein* Hairston | 2(e)(1) | Refusal Reversed | | "GENE MEDECINE, INC." (in block letters on a black rectangle) [formulated nucleic acid pharmaceutical preparations for the treatment of disease] | | Gray | No |
| 7-28 | OPP (R) | 97,778 | Isolate, Inc. v. Genzyme Corp. | Simms Quinn* Hairston | 2(d); deceptively misdescriptive [2(e)(1)]; deceptive [2(a)] | Request for Reconsideration Denied [Opposition Sustained] | "LDL-DIRECT" [blood testing equipment and reagents, including in vitro cholesterol test kits] | "DIRECT LDL" [diagnostic reagents for the immunoseparation of cholesterol components in vitro] | | | No |

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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| 7-28 | CANC (SJ) | 22,092 | Imasco Enterprises Inc. v. Genesis Integrated Systems, Inc. | Cissel Hanak Quinn (Opinion "By the Board") | 2(d); affirmative defenses of laches, estoppel, and acquiescence | Petition to Cancel Granted (petitioner's motion for summary judgment granted; respondent's cross-motion for summary judgment denied) | "GENSTAR" [mortgage banking; arranging real estate joint venture financing; real estate and mortgage financing services, capital equipment leverage-lease brokerage; providing a rental purchase program for all electronic instrumentation, testing and measuring equipment; real estate planning services; distributorship services in the fields of construction materials, recycled gas and landfill, sludge and sludge disposal equipment; sludge management, consulting and engineering services in the field of sludge disposal; rental of electronic instrumentation, test and measurement equipment, microprocessors and computer peripheral products] | "GENSTAR" [computer hardware, namely, CD-ROM drives and CD-ROM players; computer software, namely, CD-ROM titles for educational and training purposes] | | | No |

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| 7-30 | EX | 74/548,577 | Plain Dealer Publishing Co. | Simms Hanak* Quinn | 2(d) | Refusal Reversed | | "THE PLAIN DEALER QUICKLINE VOICE INFORMATION SERVICE" (and design) [audiotext information services in the field of headline news, financial news, sports, entertainment, soaps, horoscopes, lottery, weather and time, all transmitted via telephone lines] | "QUICKLINE" [private line telephone communications services] | Mays | No |
| 7-31 | EX | 74/607,709 | RTS Laboratories | Cissel* Quinn Walters | 2(d) | Refusal Affirmed | | "NAIL RESTORE" [treatment for cuticles and nail bed] | "RESTOR" [nail treatment preparations] and "RESTORE PLUS" [nail care preparations] | Martin | No |
| 7-31 | EX | 74/573,304 | Irv Malvin, Inc. | Simms Quinn Hohein* | 2(d) | Refusal Affirmed | | "CONTEMPO ELEGANCE" [jewelry] | "CONTEMPO FASHIONS" (and design) [jewelry—namely, necklaces, earrings, finger rings, anklets, bracelets, pendants and stick pins, all composed of precious metals] | Alt | No |

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